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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 RENE RIOS-GARCIA,

15 Defendant.
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CASE NO. 15CR2872-LAB

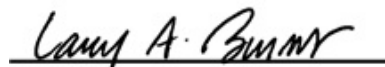
**ORDER DENYING MOTION FOR
REDUCTION OF SENTENCE UNDER
18 U.S.C. § 3582(c)(2)**

17 This Court sentenced Rene Rios-Garcia to 68 months in prison in 2016 after he pled
18 guilty to possessing over 28 kilograms of pure methamphetamine with intent to distribute it.
19 He's now filed a motion under 18 U.S.C. § 3582(c)(2) asking the Court to reduce his
20 sentence because the advisory sentencing ranges for some drug crimes under the United
21 States Sentencing Guidelines ("Guidelines") were lowered after he was sentenced.

22 The retroactive changes to the Guidelines don't affect Mr. Rios-Garcia's sentence.
23 He is ineligible for a sentence reduction under §3582(c)(2) because his offense involved
24 more than 4.5 kilograms of actual methamphetamine. See USSG § 2D1.1(c)(1)(2014).
25 The Motion is **DENIED**.

26 **IT IS SO ORDERED.**

27 DATED: August 7, 2018



HONORABLE LARRY ALAN BURNS
United States District Judge